



#14
SML
1/14/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1 Application Serial No.09/191,047
 2 Filing Date11/12/1998
 3 Inventorship.....Zuberec et al.
 4 Applicant Microsoft Corporation
 5 Group Art Unit2641
 6 Examiner Armstrong, A.
 7 Attorney's Docket No. MS1-286US
 8 Title: Speech Recognition User Interface

NOTICE OF APPEAL

To: Commissioner of Patents and Trademarks
Washington, D.C. 20231

From: Brian G. Hart (Tel. 509-324-9256; Fax 509-323-8979)
Customer No. 22801



Applicant hereby appeals to the Board of Patent Appeals from the final Office Action dated October 10, 2001, in which the Examiner rejected pending claims 1, 3-9, 11-18, 20-35, 37 and 39. Applicant will appeal the rejection of pending claims 1, 3-9, 11-18, 20-35, 37 and 39.

A \$320 appeal fee as set forth in §1.17(b) is included herewith.

Respectfully submitted,

Dated: January 07, 2002 By: Brian G. Hart
 Brian G. Hart
 Reg. No. 44,421
 (509) 324-9256 x234

01/15/2002 GTEFFERA 00000051 09191047

01 FC:119 320.00 OP



1-10-02

AF
\$

2700

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (09-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/191,047	
	Filing Date	Nov 12, 1998	
	First Named Inventor	Zuberec	
	Group Art Unit	2741 2641	
	Examiner Name	Armstrong, A.	
Total Number of Pages in This Submission	3	Attorney Docket Number	MS1-286US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) Sheets	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return post card
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

RECEIVED

JAN 15 2002

Technology Center 2600

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brian G. Hart, Reg. No. 44,421
Signature	Brian Hart
Date	01/07/02

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as Express Mail, in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the below-indicated date. The Express Mail No. has also been marked on the listed items. Express Mail No. EL887746373	
Typed or printed name	Cheryl Boies
Signature	Cheryl Boies
Date	1/7/2002

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 320.00

Complete if Known

Application Number 09/191,047
Filing Date Nov 12, 1998
First Named Inventor Zuberec
Examiner Name Armstrong, A.
Group Art Unit 2741
Attorney Docket No. MS1-286US

RECEIVED

JAN 15 2002

Technology Center 2600

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																													
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 12-0769</p> <p>Deposit Account Name Lee & Hayes, PLLC</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>		<p>3. ADDITIONAL FEES</p> <table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105 130</td><td>205 65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127 50</td><td>227 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139 130</td><td>139 130</td><td>Non-English specification</td><td></td></tr><tr><td>147 2,520</td><td>147 2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>112 920*</td><td>112 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113 1,840*</td><td>113 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115 110</td><td>215 55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116 400</td><td>216 200</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117 920</td><td>217 460</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118 1,440</td><td>218 720</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128 1,960</td><td>228 980</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119 320</td><td>219 160</td><td>Notice of Appeal</td><td>320</td></tr><tr><td>120 320</td><td>220 160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121 280</td><td>221 140</td><td>Request for oral hearing</td><td></td></tr><tr><td>138 1,510</td><td>138 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140 110</td><td>240 55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141 1,280</td><td>241 640</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142 1,280</td><td>242 640</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143 460</td><td>243 230</td><td>Design issue fee</td><td></td></tr><tr><td>144 620</td><td>244 310</td><td>Plant issue fee</td><td></td></tr><tr><td>122 130</td><td>122 130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123 50</td><td>123 50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>126 180</td><td>126 180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581 40</td><td>581 40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146 740</td><td>246 370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149 740</td><td>249 370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>179 740</td><td>279 370</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169 900</td><td>169 900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="3">Other fee (specify) _____</td><td></td></tr><tr><td colspan="3">SUBTOTAL (3) (\$)</td><td>320.00</td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130	205 65	Surcharge - late filing fee or oath		127 50	227 25	Surcharge - late provisional filing fee or cover sheet		139 130	139 130	Non-English specification		147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination		112 920*	112 920*	Requesting publication of SIR prior to Examiner action		113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		115 110	215 55	Extension for reply within first month		116 400	216 200	Extension for reply within second month		117 920	217 460	Extension for reply within third month		118 1,440	218 720	Extension for reply within fourth month		128 1,960	228 980	Extension for reply within fifth month		119 320	219 160	Notice of Appeal	320	120 320	220 160	Filing a brief in support of an appeal		121 280	221 140	Request for oral hearing		138 1,510	138 1,510	Petition to institute a public use proceeding		140 110	240 55	Petition to revive - unavoidable		141 1,280	241 640	Petition to revive - unintentional		142 1,280	242 640	Utility issue fee (or reissue)		143 460	243 230	Design issue fee		144 620	244 310	Plant issue fee		122 130	122 130	Petitions to the Commissioner		123 50	123 50	Processing fee under 37 CFR 1.17(q)		126 180	126 180	Submission of Information Disclosure Stmt		581 40	581 40	Recording each patent assignment per property (times number of properties)		146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))		149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))		179 740	279 370	Request for Continued Examination (RCE)		169 900	169 900	Request for expedited examination of a design application		Other fee (specify) _____				SUBTOTAL (3) (\$)			320.00
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																												
105 130	205 65	Surcharge - late filing fee or oath																																																																																																																													
127 50	227 25	Surcharge - late provisional filing fee or cover sheet																																																																																																																													
139 130	139 130	Non-English specification																																																																																																																													
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																													
112 920*	112 920*	Requesting publication of SIR prior to Examiner action																																																																																																																													
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action																																																																																																																													
115 110	215 55	Extension for reply within first month																																																																																																																													
116 400	216 200	Extension for reply within second month																																																																																																																													
117 920	217 460	Extension for reply within third month																																																																																																																													
118 1,440	218 720	Extension for reply within fourth month																																																																																																																													
128 1,960	228 980	Extension for reply within fifth month																																																																																																																													
119 320	219 160	Notice of Appeal	320																																																																																																																												
120 320	220 160	Filing a brief in support of an appeal																																																																																																																													
121 280	221 140	Request for oral hearing																																																																																																																													
138 1,510	138 1,510	Petition to institute a public use proceeding																																																																																																																													
140 110	240 55	Petition to revive - unavoidable																																																																																																																													
141 1,280	241 640	Petition to revive - unintentional																																																																																																																													
142 1,280	242 640	Utility issue fee (or reissue)																																																																																																																													
143 460	243 230	Design issue fee																																																																																																																													
144 620	244 310	Plant issue fee																																																																																																																													
122 130	122 130	Petitions to the Commissioner																																																																																																																													
123 50	123 50	Processing fee under 37 CFR 1.17(q)																																																																																																																													
126 180	126 180	Submission of Information Disclosure Stmt																																																																																																																													
581 40	581 40	Recording each patent assignment per property (times number of properties)																																																																																																																													
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																													
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																													
179 740	279 370	Request for Continued Examination (RCE)																																																																																																																													
169 900	169 900	Request for expedited examination of a design application																																																																																																																													
Other fee (specify) _____																																																																																																																															
SUBTOTAL (3) (\$)			320.00																																																																																																																												
<p>1. BASIC FILING FEE</p> <table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101 740</td><td>201 370</td><td>Utility filing fee</td><td></td></tr><tr><td>106 330</td><td>206 165</td><td>Design filing fee</td><td></td></tr><tr><td>107 510</td><td>207 255</td><td>Plant filing fee</td><td></td></tr><tr><td>108 740</td><td>208 370</td><td>Reissue filing fee</td><td></td></tr><tr><td>114 160</td><td>214 80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="3">SUBTOTAL (1) (\$)</td><td></td></tr></tbody></table> <p>2. EXTRA CLAIM FEES</p> <table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>103 18</td><td>203 9</td><td>Claims in excess of 20</td></tr><tr><td>102 84</td><td>202 42</td><td>Independent claims in excess of 3</td></tr><tr><td>104 280</td><td>204 140</td><td>Multiple dependent claim, if not paid</td></tr><tr><td>109 84</td><td>209 42</td><td>** Reissue independent claims over original patent</td></tr><tr><td>110 18</td><td>210 9</td><td>** Reissue claims in excess of 20 and over original patent</td></tr><tr><td colspan="3">SUBTOTAL (2) (\$)</td><td></td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	101 740	201 370	Utility filing fee		106 330	206 165	Design filing fee		107 510	207 255	Plant filing fee		108 740	208 370	Reissue filing fee		114 160	214 80	Provisional filing fee		SUBTOTAL (1) (\$)				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	103 18	203 9	Claims in excess of 20	102 84	202 42	Independent claims in excess of 3	104 280	204 140	Multiple dependent claim, if not paid	109 84	209 42	** Reissue independent claims over original patent	110 18	210 9	** Reissue claims in excess of 20 and over original patent	SUBTOTAL (2) (\$)				<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 12-0769</p> <p>Deposit Account Name Lee & Hayes, PLLC</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>																																																																											
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																												
101 740	201 370	Utility filing fee																																																																																																																													
106 330	206 165	Design filing fee																																																																																																																													
107 510	207 255	Plant filing fee																																																																																																																													
108 740	208 370	Reissue filing fee																																																																																																																													
114 160	214 80	Provisional filing fee																																																																																																																													
SUBTOTAL (1) (\$)																																																																																																																															
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description																																																																																																																													
103 18	203 9	Claims in excess of 20																																																																																																																													
102 84	202 42	Independent claims in excess of 3																																																																																																																													
104 280	204 140	Multiple dependent claim, if not paid																																																																																																																													
109 84	209 42	** Reissue independent claims over original patent																																																																																																																													
110 18	210 9	** Reissue claims in excess of 20 and over original patent																																																																																																																													
SUBTOTAL (2) (\$)																																																																																																																															

*or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 320.00

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Brian G. Hart	Registration No. (Attorney/Agent)	44,421
Signature		Telephone	(509) 324-9256
		Date	01/07/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.